

BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION
OF THE STATE OF CALIFORNIA

APPLICATION FOR CERTIFICATION FOR THE
EASTSHORE ENERGY CENTER IN HAYWARD
BY TIERRA ENERGY

DOCKET No. 06-AFC-6
(AFC ACCEPTED 11/8/06)

SECOND REVISED SCHEDULING ORDER

On April 5, 2007, this Committee issued a Revised Schedule, which reflected the schedule delays at that time resulting from Applicant's failure to submit complete data responses. As discussed below, we have now adopted a Second Revised Schedule based on the parties' current Status Reports.

At the Status Conference on June 6, 2007, we directed the parties to reach agreement on the schedule for the remainder of the proceeding. According to Applicant's June 27, 2007, Status Report, the parties could not agree on a mutually acceptable schedule. Applicant proposes that the Preliminary Staff Assessment (PSA) be published on July 12, 2007. Staff, however, does not expect to issue the PSA until July 31, 2007. (Staff's Status Report 5, dated June 26, 2007.)

We find that an 18-day difference in the PSA publication date will have *de minimis* effect on the overall certification process. The more important timeline will be determined by the results of evidentiary hearings on the Project's compliance with applicable LORS. The attached Second Revised Schedule supersedes any previously adopted schedule.

Dated: July 2, 2007, at Sacramento, California.

Original Signed by
JEFFREY D. BYRON
Commissioner and Presiding Member
Eastshore AFC Committee

Original Signed by
JOHN L. GEESMAN
Commissioner and Associate Member
Eastshore AFC Committee

SECOND REVISED COMMITTEE SCHEDULE¹
FOR THE
EASTSHORE ENERGY CENTER

NOTE: This Schedule is based on a performance model by which any delays in the Applicant's submittal of necessary information shall result in a commensurate slip of the schedule timeline.

<i>DATE</i>	<i>EVENT</i>
July 25 2007	Status Reports (#6) due to Committee
July 31, 2007	Preliminary Staff Assessment (PSA) filed
August 2007	PSA Workshop(s)
August 15, 2007	Status Reports (#7) due to Committee
Aug 31, 2007 (end of PSA comment period)	Local, state, & federal agency final determinations due (including Final Determination of Compliance from BAAQMD)
Sept 19, 2007	Status Reports (#8) due to Committee
Early-Oct 2007	Final Staff Assessment filed
Pending ²	Prehearing Conference
Pending ²	Evidentiary hearings
Pending ²	Presiding Member's Proposed Decision (PMPD)
Pending ²	Committee Conference on PMPD
Pending ²	Energy Commission Hearing--Final Decision

¹ Where it would be speculative to establish specific dates, deadlines are targeted within 10-day increments: early in the month (days 1-10), middle (days 11-20), and late (days 21-31).

² To be scheduled by the Committee.